

A Regular Meeting of the Planning Board of the Town of Lancaster, Erie County, New York was held at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York, on the third day of December 2003, at 7:30P.M, and there were present:

PRESENT: Stanley J. Keysa, Chairman  
Rebecca Anderson, Member  
John P. Gober, Member  
Lawrence Korzeniewski, Member  
Michael Myszka, Member  
Steven Socha, Member  
Melvin Szymanski, Member

EXCUSED: None

ALSO PRESENT:

Town Board Members: Donna G. Stempniak

Other Elected Officials: None

Town Staff: Robert Labenski, Town Engineer  
Richard J. Sherwood, Town Attorney  
Mary Nowak, Recording Secretary

Meeting #23  
December 3, 2003

Planning Board Members:	Stanley J. Keysa, Chairman Rebecca Anderson John P. Gober Lawrence Korzeniewski Michael Myszka Steven Socha Melvin Szymanski
Town Board Members:	Robert H. Giza Mark A. Montour Ronald Ruffino, Sr. Donna G. Stempniak Richard D. Zarbo Daniel Amatura - Councilmember Elect
Town Engineer:	Robert Labenski
Town Attorney:	Richard J. Sherwood
Building & Zoning Inspector:	Jeffrey H. Simme

Gentlemen/Ladies:

Enclosed is a draft copy of the minutes of a meeting of the Planning Board of Lancaster which was held December 3, 2003. Please review it for errors and completeness. These minutes will not become final until approved at a subsequent Planning Board meeting, and may be amended before approval.

Sincerely yours,

Stanley J. Keysa,  
Planning Board Chairman

SJK:mn

Meeting called to order by Chair Keysa at 7:30 PM. Motion was made by Steven Socha to approve the minutes from the November 19, 2003 Planning Board Meeting. Motion seconded by Rebecca Anderson and unanimously carried.

**COMMUNICATIONS:**

**ACTION ITEMS -**

2004 PLANNING BOARD MEETING DATES - Chair Keysa asked the Planning Board members to look over the list of tentative 2004 Planning Board Meeting dates (Com.12/3-16). After a brief discussion, Michael Myszka made a motion to adopt the tentative schedule of 2004 Planning Board Meeting dates. Motion was seconded by Lawrence Korzeniewski and unanimously carried.

REZONE - COMO PARK BOULEVARD, PRESENT ZONING R-2, PROPOSED ZONING R-C-O. PROPOSED USE IS FOR GENERAL BUSINESS OFFICES. PROJECT NO. 1600. CONTACT PERSON THEODORE B. KULBACKI.

Ralph Lorigo, attorney for Theodore Kulbacki, presented to the Planning Board the proposed plans for the rezone of the .64 acre parcel on Como Park Boulevard. Present zoning is R-2, proposed zoning is RCO. This parcel is west of Edukids and north and east of the U.S. Post Office property. The proposed 5,000 sq. ft. building will be used for general business offices for Hunt Real Estate. The Planning Board noted that since this parcel is less than one acre, a variance will be required from the Zoning Board of Appeals. A setback variance and a sideyard variance will also be required. Member Myszka stated that since Mr. Lorigo represented him in the past in a commercial legal matter, he would be abstaining from voting on this project.

#### DETERMINATION

Based on the information presented to the Planning Board, Lawrence Korzeniewski made a motion to recommend approval of the rezone to the Town Board with the following conditions: 1. 50' setback variance required, 2. Sideyard variance required, 3. Lot size variance required. Motion seconded by Steven Socha and duly carried by a vote of 6 ayes and 0 nays with Michael Myszka abstaining.

PRELIMINARY PLAT REVIEW-COLUMBIA GARDENS SUBDIVISION- 48 SINGLE-FAMILY HOMES. PROJECT NO. 2033. CONTACT PERSON: WILLIAM TUYN, PRATT & HUTH.

William Tuyn, Pratt & Huth on behalf of Forbes Homes, presented to the Planning Board the preliminary plat review for the proposed 48 single-family home subdivision. This 21-acre parcel lies within the two municipalities the Village of Depew and the Town of Lancaster. The plan shows that each lot is entirely in one jurisdiction or the other. Mr. Tuyn stated that this plan will be presented to the Depew Village Trustees in January 2004. The Planning Board referred to Com, 12/3-17 from Crew Chief Terrence McCracken regarding a concrete gutter system in the retention pond. Mr. Tuyn told the Planning Board that since this will be a wetted basin, no concrete gutter system will be necessary. He also explained that the section between lots #11 and #12 will be piped and the section between lots #31 and #32 will be open with a wider easement. No water will back up to existing homes on Kennedy Court. The Planning Board requested a 10' public easement along the entire east line of the project, and that all easements shown on the Town portion of the map be dedicated to the Town of Lancaster or Village of Depew, as appropriate. The Planning Board also requested 5' sidewalks on both sides of the street throughout the project. The homes on Columbia Ave. in the Town of Lancaster that have driveways exiting onto Columbia Ave. will need turnarounds if they do not have side-load garages. Since this project lies within two municipalities, inter-municipal agreements will be necessary regarding the following: police protection, fire protection, lighting, sewers, highway, water, drainage, and garbage pick-up.

#### DETERMINATION

Based on the information presented to the Planning Board, Melvin Szymanski made a motion to recommend approval of the preliminary plat review to the Town Board with the following conditions: 1. Drainage easements as shown on map to become public and dedicated to the Town of Lancaster, 2. Plan to show a 10' public easement long the entire east line of the project, 3. 5' sidewalks along both sides of the street, 4. Homes on Columbia Ave. in the Town of Lancaster that have driveways that exit onto Columbia Ave. to have side-load garages or turnarounds in driveways, 5. Inter-municipal agreements between the Town of Lancaster and the Village of Depew regarding: police protection, fire protection, lighting, sewers, highway, water, drainage, and garbage pick-up. Motion seconded by John Goyer and unanimously carried.

#### REZONE-PROPOSED PATIO HOMES, PROJECT NO. 5067. PRESENT ZONING A-R, PROPOSED ZONING MFR-3 FOR THE PURPOSE OF 69 PATIO HOMES.

William Tuyn, Pratt & Huth, presented to the Planning Board the proposed rezone of the 18.76 acres at 5067 William St. The present zoning of the parcel is A-R. The proposed zoning is MFR-3 for the purpose of 69 patio homes. This project was adjourned at the November 19, 2003 Planning Board Meeting, as the Planning Board requested that the applicant provide the Planning Board with maps to patio home developments in the surrounding areas and addresses of single-family homes built by Homes by Natale. Although the applicant did not provide the requested items, Mr. Tuyn offered to answer any questions about this project. Drainage - Mr. Tuyn stated that the drainage pattern on this parcel runs from north to south to the stream which will run to a wetted basin. Perimeter drainage will run along the entire parcel. The wetlands at the south end of the parcel will be avoided and remain in its natural state.

#### DETERMINATION

The applicant requested this project be adjourned to the December 17, 2003 Planning Board meeting. The applicant is to provide the Planning Board with maps to patio home developments in the surrounding areas and addresses of single-family homes built by Homes by Natale. It was requested that this information be at the Town Attorney's office no later than December 4, 2003. Motion to adjourn to December 17, 2003 was made by John Goyer; seconded by Michael Myszka and unanimously carried.

At 8:53 PM Lawrence Korzeniewski made a motion to adjourn the meeting. Motion was seconded by Michael Myszka and unanimously carried.